



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/676,445	09/29/2000	William B. Franklin	8012-001	3483

4678 7590 12/05/2002

MACCORD MASON PLLC
300 N. GREENE STREET, SUITE 1600
P. O. BOX 2974
GREENSBORO, NC 27402

EXAMINER

WANG, JIN-CHENG

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 12/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/676,445

Applicant(s)

FRANKLIN ET AL.

Examiner

Jin-Cheng Wang

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on ____.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-32 is/are pending in the application.

4a) Of the above claim(s) ____ is/are withdrawn from consideration.

5) Claim(s) ____ is/are allowed.

6) Claim(s) 1-32 is/are rejected.

7) Claim(s) ____ is/are objected to.

8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on ____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.

4) Interview Summary (PTO-413) Paper No(s) ____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: ____.

DETAILED ACTION

Specification

1. Claim 28 and 30 are objected to because of the following informalities: Grammatical errors are found in claim 28, lines 1-2 and claim 29, lines 1-2, “in connection the offering for sale” should read “in connection with the offering for sale”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 9, 14-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Petchenkine et al. U.S. Patent No. 6,483,524.

4. Claim 1:

The Petchenkine reference has taught a method of creating a web page from a vector graphics data file (abstract, column 11, lines 59-65, and column 12, lines 57-61) comprising:

- (1) Converting the vector graphics data file from its native file format to a bit map graphics file format (by a multi-tasking and multi-threading Raster Image Processor in column 3, lines 34-45);

(2) Modifying the bitmap graphics data file by converting color values to a format (column 8, lines 65-67 and column 9, lines 1-4) that can be displayed on a computer monitor (figure 1, and column 3, lines 63-67); and

(3) Inserting the modified bitmap graphics data file into the web page (column 5, lines 32-51, column 11, lines 59-65, and column 12, lines 57-61).

Claim 2:

The claim 2 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of compressing the modified bitmap graphics data file prior to inserting. However, the Petchenkine reference further discloses compressing the modified bitmap graphics data file prior to inserting (column 24, lines 12-21, and column 11, lines 59-65).

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of compressing precedes modifying. However, the Petchenkine reference further discloses compressing precedes modifying (column 23, lines 62-67, column 24, lines 1-21, and column 11, lines 59-65).

Claim 4:

The claim 4 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of the bitmap graphics file compressed by reducing the resolution of an image encoded in the file to less than 100 dots per inch. However, the Petchenkine reference further discloses the bitmap graphics file compressed by reducing the resolution of an image encoded in the file to less than 100 dots per inch (column 8, lines 54-64, and column 22, lines 57-67).

Claim 5:

The claim 5 encompasses the same scope of invention as that of claim 4 except additional claimed limitation of the bitmap graphics file compressed by reducing the resolution of an image encoded in the file to about 72 dpi. However, the Petchenkine reference further discloses the bitmap graphics file compressed by reducing the resolution of an image encoded in the file to about 72 dpi (column 8, lines 54-64, and column 22, lines 57-67).

Claim 9:

The claim 9 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of the bitmap graphics file compressed by converting the bitmap graphics file to a tif format file. However, the Petchenkine reference further discloses the bitmap graphics file compressed by converting the bitmap graphics file to a tif format file. (column 11, lines 5-13, and column 14, lines 65-67).

Claim 14:

The claim 14 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of modifying precedes converting. However, the Petchenkine reference further discloses the claimed limitation of modifying precedes converting (column 24, lines 12-21).

Claim 15:

The claim 15 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the vector graphics file being a prepress data file. However, the Petchenkine reference further discloses the claimed limitation of the vector graphics file being a prepress data file (column 17, lines 44-49).

Claim 16:

The claim 16 encompasses the same scope of invention as that of claim 15 except additional claimed limitation of the prepress data file created using a software application program selected from the group consisting of QuarkXPress, Adobe Illustrator, Macromedia Freehand, Adobe PageMaker, Corel Draw and Adobe Acrobat. However, the Petchenkine reference further discloses the prepress data file created using a software application program selected from the group consisting of QuarkXPress, Adobe Illustrator, Macromedia Freehand, Adobe PageMaker, Corel Draw and Adobe Acrobat (column 3, lines 34-45).

Claim 17:

The claim 17 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the web page being a markup language file. However, the Petchenkine reference further discloses the claimed limitation of the web page being a markup language file (column 12, lines 56-61).

Claim 18:

The claim 18 encompasses the same scope of invention as that of claim 17 except additional claimed limitation of the markup language selected from the group consisting of html, xml, cfml, cxml, hdml, sgml, smil, xhtml, xsl, and wml. However, the Petchenkine reference further discloses claimed limitation of the markup language selected from the group consisting of html, xml, cfml, cxml, hdml, sgml, smil, xhtml, xsl, and wml (column 12, lines 56-61).

Claim 19:

The claim 19 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the bitmap graphics file being an eps file. However, the

Petchenkine reference further discloses the claimed limitation of the bitmap graphics file being an eps file (column 11, lines 59-65).

Claim 20:

The claim 20 encompasses the same scope of invention as that of claim 19 except additional claimed limitation of the rendered eps file being an 8.5" by 11" image. However, the Petchenkine reference further discloses the claimed limitation of the rendered eps file being an 8.5" by 11" image (column 22, lines 57-67).

Claim 21:

The claim 21 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the vector graphics data file being a prepress data file, the bitmap graphics file being an eps file, and the prepress data file being converted to an eps file by exporting the prepress data file in its native file format to an eps format. However, the Petchenkine reference further discloses the claimed limitation of the vector graphics data file being a prepress data file, the bitmap graphics file being an eps file, and the prepress data file being converted to an eps file by exporting the prepress data file in its native file format to an eps format (column 11, lines 59-65).

Claim 22:

The claim 22 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the vector graphics data file being a prepress data file, the bitmap graphics file being an tif file, and the prepress data file being converted to a tif file by exporting the prepress data file in its native file format to a tif format. However, the Petchenkine reference further discloses the claimed limitation of the vector graphics data file being a prepress data file,

the bitmap graphics file being an tif file, and the prepress data file being converted to a tif file by exporting the prepress data file in its native file format to a tif format (column 11, lines 59-65, column 11, lines 5-13, and column 12, lines 45-48).

Claim 23:

The claim 23 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the vector graphics data file modified by converting the CMYK color values to RGB color values. However, the Petchenkine reference further discloses the claimed limitation of the vector graphics data file modified by converting the CMYK color values to RGB color values (figure 18-19).

Claim 24:

The claim 24 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the CMYK color values converted to RGB color values using a paint program. However, the Petchenkine reference further discloses the claimed limitation of the CMYK color values converted to RGB color values using a paint program also called a graphics program such as the WinPrint module (column 18, lines 34-64).

5. Claim 25:

The Petchenkine reference has taught a method of creating a web page from a vector graphics data file (abstract, column 11, lines 59-65, and column 12, lines 57-61) comprising:

- (1) Converting the vector graphics data file from its native file format to a bitmap graphics file format (column 11, lines 59-65);

(2) Compressing the bitmap graphics file by reducing the resolution of an image encoded in the file to less than 100 dots per inch by converting cyan, magenta, yellow, black color values to red, green, blue (RGB) color values (column 22, lines 20-67); and

(3) Modifying the bitmapped graphics file (column 22, lines 20-67).

6. Claim 26:

The Petchenkine reference teaches a method of creating a web page from a vector graphics data file (abstract, column 11, lines 59-65, and column 12, lines 57-61) comprising:

(1) Converting the vector graphics data file from its native file format to a bit map graphics file format (by a multi-tasking and multi-threading Raster Image Processor in column 3, lines 34-45);

(2) Modifying the bitmap graphics data file by converting color values to a format (column 8, lines 65-67 and column 9, lines 1-4) that can be displayed on a computer monitor (figure 1, and column 3, lines 63-67); and

(3) Inserting the modified bitmap graphics data file into a web page template (column 5, lines 32-51, column 11, lines 59-65, and column 12, lines 57-61).

7. Claim 27:

The Petchenkine reference has taught a method of creating a plurality of web pages from a vector graphics data file (abstract, column 11, lines 59-65, and column 12, lines 57-61), wherein the plurality of web pages is substantially identical to a printed publication rendered from the vector graphics data file (column 23, lines 6-61) comprising:

(1) Converting each of a plurality of pages of a printed publication rendered from the vector graphics data file from its native file format to a bitmap graphics file format (column 11, lines 59-65, and column 23, lines 6-61);

(2) Modifying each of the plurality of the bitmap graphics data file by converting color values to a format (column 8, lines 65-67 and column 9, lines 1-4) that can be displayed on a computer monitor (figure 1, and column 3, lines 63-67);

(3) Inserting each of the plurality of the modified bitmap graphics data file into a web page (column 5, lines 32-51, column 11, lines 59-65, and column 12, lines 57-61); and

(4) Linking the plurality of web pages such that the plurality of web pages is substantially identical to the layout and content of the printed publication (column 12, lines 49-61, and column 23, lines 6-61).

8. Claim 28:

The Petchenkine reference has taught a method of displaying a plurality of products on a website in connection with the offering for sale of the plurality of products (abstract, column 11, lines 59-65, column 12, lines 57-61, and column 23, lines 6-61), the method comprising:

(1) Creating a vector graphics data file, wherein the vector graphics data file includes data capable of being converted to a press plat to create a catalog printed on paper (column 23, lines 6-61);

(2) Deriving from the vector graphics data file an electronic catalog, wherein the electronic catalog appears to be substantially identical to the catalog printed on paper (column 23, lines 6-61); and

(3) Making the electronic catalog available for viewing using a browser (column 12, lines 49-61, and column 23, lines 6-61).

9. Claim 29:

The Petchenkine reference has taught a method of displaying a plurality of products on a website in connection with the offering for sale of the plurality of products (abstract, column 11, lines 59-65, column 12, lines 57-61, and column 23, lines 6-61), the method comprising:

(1) Creating a composite file comprised of a vector graphics data file and an image file, wherein the composite file is capable of being converted to a press plate for a catalog printed on paper (column 23, lines 6-61);

(2) Deriving from the composite file an electronic catalog, wherein the electronic catalog appears to be substantially identical to the catalog printed on paper (column 23, lines 6-61); and

(3) Making the electronic catalog available for viewing using a browser (column 12, lines 49-61, and column 23, lines 6-61).

10. Claim 30:

The Petchenkine reference has taught a method of creating a web page from a vector graphics data file (abstract, column 11, lines 59-65, and column 12, lines 57-61) comprising the steps of:

(1) Converting the vector graphics data file from its native file format to a bit map graphics file format including both text and images (column 11, lines 59-65, and column 23, lines 28-33);

- (2) Modifying the bitmap graphics data file by converting color values to a format (column 8, lines 65-67 and column 9, lines 1-4) that can be displayed on a computer monitor (figure 1, and column 3, lines 63-67);
- (3) Correcting errors in the text that occur when the vector graphics data file was converted from its native file format to a bitmap graphics file format (column 24, lines 12-21); and
- (4) Inserting the modified bitmap graphics data file into a web page (column 5, lines 32-51, column 11, lines 59-65, and column 12, lines 57-61).

11. Claim 31:

The Petchenkine reference has taught a method of communication \comprising: displaying on a web browser a web page made by creating the web page from a vector graphics data file (abstract, column 11, lines 59-65, and column 12, lines 57-61), including the steps of:

- (1) Converting the vector graphics data file from its native file format to a bit map graphics file format including both text and images (column 11, lines 59-65, and column 23, lines 28-33);

- (2) Modifying the bitmap graphics data file by converting color values to a format (column 8, lines 65-67 and column 9, lines 1-4) that can be displayed on a computer monitor (figure 1, and column 3, lines 63-67); and
- (3) Inserting the modified bitmap graphics data file into a web page (column 5, lines 32-51, column 11, lines 59-65, and column 12, lines 57-61).

12. **Claim 32:**

The Petchenkine reference has taught an article of manufacture (figure 2) comprising: a terminal connected to a network and including a video display terminal (i.e., a computer screen addressed in the abstract, see also figure 1, and column 3, lines 63-67), the video display terminal displaying a displayed web page made by creating the web page from a vector graphics data file (abstract, column 11, lines 59-65, and column 12, lines 57-61), including the steps of:

(1) Converting the vector graphics data file from its native file format to a bit map graphics file format including both text and images (column 11, lines 59-65, and column 23, lines 28-33);

(2) Modifying the bitmap graphics data file by converting color values to a format (column 8, lines 65-67 and column 9, lines 1-4) that can be displayed on a computer monitor (figure 1, and column 3, lines 63-67); and

(3) Inserting the modified bitmap graphics data file into the web page (column 5, lines 32-51, column 11, lines 59-65, and column 12, lines 57-61).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 6-7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petchenkine et al. U.S. Patent No. 6,483,524 as applied to claim 1 above, and further in view of King et al. U.S. Patent No. 5,956,737.

(1) The U.S. Patent No. 6,483,524 to Petchenkine et al. has taught a method of creating a web page from a vector graphics data file (abstract, column 11, lines 59-65, and column 12, lines 57-61) comprising the step of converting the vector graphics data file from its native file format to a bit map graphics file format (by a multi-tasking and multi-threading Raster Image Processor in column 3, lines 34-45).

(2) However, Petchenkine et al. is silent on the conversion to bitmap graphics file in a jpeg or X bitmap format.

(3) King et al. has taught a method of fitting electronic content elements to a medium and automatically performing document layout in which the object types of the content elements may be text, hypertext, database records, objects/applets/components, images etc. wherein an image may be a bitmap, a vector drawing, gif, jpeg, or other (column 33, lines 41-56).

(4) It would have been obvious to one of ordinary skill in the art to have included the a the King's conversion program of converting to the bitmap graphics file in a jpeg or X bitmap format into Petchenkine et al.'s prepress workflow because Petchenkine suggests that other compression algorithms such as modules similar to Tiff Module 328 could be included in its prepress workflow that rips postscript pages to a file in a jpeg or X bitmap format (column 12, lines 57-61 of Petchenkine) and therefore suggesting an obvious modification. Furthermore, both references deal with the same subject matter relating to bitmapped graphics files.

(5) One having the ordinary skill in the art would have been motivated to do this because it would have provided the processing of video graphics in a jpeg or X bitmap format and this would have also addressed a variety of bitmap graphics files in different formats that can be processed by the Petchenkine's prepress workflow.

15. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Petchenkine et al. U.S. Patent No. 6,483,524 as applied to claim 1 above, and further in view of Tolfa U.S. Patent No. 6,195,664.

(1) The U.S. Patent No. 6,483,524 to Petchenkine et al. has taught a method of creating a web page from a vector graphics data file (abstract, column 11, lines 59-65, and column 12, lines 57-61) comprising the step of converting the vector graphics data file from its native file format to a bit map graphics file format (by a multi-tasking and multi-threading Raster Image Processor in column 3, lines 34-45).

(2) However, Petchenkine et al. is silent on the conversion to the bitmap graphics file in a gif format.

(3) Tolfa has taught a computer implemented method for controlling the conversion of a file from an input graphics file format to an output graphics file format where the available graphics file formats includes GIF (column 2, lines 20-38).

(4) It would have been obvious to one of ordinary skill in the art to have incorporated the Tolfa's conversion program of converting to the bitmap graphics file in a gif format into Petchenkine et al.'s prepress workflow because Petchenkine suggests that other compression algorithms such as modules similar to Tiff Module 328 could be included that rips postscript

pages to a file in a gif format (column 12, lines 57-61 of Petchenkine) and therefore suggesting an obvious modification. Moreover, both references deal with the same subject matter relating to bitmapped graphics files.

(5) One having the ordinary skill in the art would have been motivated to do this because it would have provided the additional processing of the bitmapped graphics file in a gif format and this would have also addressed a variety of different bitmap graphics files that can be processed by the Petchenkine's prepress workflow.

16. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petchenkine et al. U.S. Patent No. 6,483,524 as applied to claim 1 above, and further in view of King et al. U.S. Patent No. 5,956,737.

(1) The U.S. Patent No. 6,483,524 to Petchenkine et al. has taught a method of creating a web page from a vector graphics data file (abstract, column 11, lines 59-65, and column 12, lines 57-61) comprising the step of converting the vector graphics data file from its native file format to a bit map graphics file format (by a multi-tasking and multi-threading Raster Image Processor in column 3, lines 34-45).

(2) However, Petchenkine et al. is silent on tagging the modified bitmap graphics data file as an inline image or an external image and the inline image being a link to a higher resolution version of an image that is substantially the same as the inline image.

(3) King et al. has taught a method of fitting electronic content elements to a medium and automatically performing document layout in which content can be encapsulated either as a link to an external object (external image), or as an embedding and built-in content encapsulations

represent both free-standing objects, such as text files, and nested sub-objects, such as the sections and paragraphs of text files (column 14, lines 25-31 of King).

(4) It would have been obvious to one of ordinary skill in the art to have incorporated the King's teaching into the multi-tasking and multi-threading raster image processing of Petchenkine's prepress workflow because this would support the separated representation of content, media, and design (see for example column 14, lines 15-21 of King). Moreover, both references have addressed the same subject matter of how components can be rendered to a particular media such as the Internet.

(5) One having the ordinary skill in the art would have been motivated to do this because it would allow media objects to be advantageously combined with media object encapsulations that represent both free-standing objects such as printed documents, and nested sub-objects such as the individual page regions associated with components of printed documents (column 14, lines 32-54 of King).

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Popa U.S. Patent No. 6,006,231 discloses a method of creating and storing an image on a computer file compatible with any compression algorithm such as JPEG, TIFF, GIF and EPS and any color space.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 395-3900.

jcw
December 2, 2002

Jeffrey A. Brier
JEFFREY BRIER
PRIMARY EXAMINER